

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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|----------------------|---|------------------------------------|
| RICHARD WEDDLE, |) | 3:14-cv-00241-MMD-WGC |
| |) | |
| Plaintiff, |) | <u>MINUTES OF THE COURT</u> |
| |) | |
| vs. |) | June 25, 2015 |
| |) | |
| RENEE BAKER, et al., |) | |
| |) | |
| Defendants. |) | |
| |) | |

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: KATIE LYNN OGDEN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the court is “Plaintiff’s Motion for Sanctions Under F.R.C.P. Rule 26 and Rule 37 for Defendants’ Motion for Enlargement of Time to Respond to Plaintiff’s Motion for an Order Compelling Discovery (Doc. # 38).” (Doc. # 50.) Plaintiff seeks the court to enter sanctions because of Defendants’ “improper certification as Doc. # 42 “misrepresents material facts and law, is made for an improper purpose to harass (sic) Plaintiff and to delay the administration of Justice, is frivolous and contrary to Federal Law (including Federal court Rules).” (*Id.*, at 1.)

The court notes that Defendants’ motion to which Plaintiff takes exception was a simple request for a 14 day extension of time. (Doc. # 42.) Defendants’ motion was filed on May 26, 2015. The court found good cause existed to grant the extension and did so the following day, May 27, 2015. (Doc. # 43.) Defendants have subsequently responded to the motion to compel within the time extended (Doc. # 47, 6/9/15).

Defendants’ motion(Doc. # 42) was not a substantive opposition to Plaintiff’s underlying motion to compel; rather, it was a procedural request to have additional time to respond to Plaintiff’s motion to compel. Thus, there was absolutely no need for Plaintiff to file a 61 page motion for sanctions. Plaintiff’s instant motion was filed some 30 days after the court had already granted that extension.

Plaintiff’s motion also failed to adhere to the 21 day “safe harbor” provisions of Fed. R. Civ. P. 11.

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The court perceives absolutely no merit in Plaintiff's motion (Doc. # 50) and finds it is frivolous and a waste of the court's time and resources. Plaintiff is admonished that further filings of a similar nature will likely subject Plaintiff to sanctions.¹

Plaintiff's motion for sanctions (Doc. # 50) is **DENIED**.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: _____/s/
Deputy Clerk

¹ See this court's Order of this date concerning (Doc. # 45) Plaintiff's motion to strike Defendants' response to Plaintiff's motion for preliminary injunction.